

Karin M. Gunter, Esquire
PA Id No. 79852
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ATTORNEY FOR PLAINTIFF,
MARTHA STEELE

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARTHA STEELE,	:	CIVIL ACTION
Plaintiff	:	
	:	No.: 02-cv-4347
v.	:	
	:	
HCI DIRECT,	:	
Defendant.	:	

**ATTORNEY KARIN M. GUNTER'S MOTION TO
WITHDRAW AS COUNSEL TO PLAINTIFF MARTHA STEELE**

Pursuant to Pennsylvania Rules of Professional Conduct ("Rules") 1.16(b)(3), (b)(5) and (b)(6), Karin M. Gunter, Esquire ("Counsel"), Counsel for Plaintiff Martha Steele ("Steele") respectfully moves this Honorable Court GRANT Counsel's Motion to Withdraw as Counsel based upon the following grounds:

1. Plaintiff initiated the instant lawsuit as a *pro se informa pauperis* litigant on or about July 19, 2002.
2. On or about January 6, 2003, the undersigned was appointed counsel for Plaintiff via the District Court's Employment Panel.
3. Plaintiff and the undersigned entered an engagement agreement on or about

January 29, 2003.

4. The undersigned has vigorously sought to represent and protect Plaintiff's interests in maintaining the instant action by:

- a. filing an amended complaint;
- b. securing issuance of an alias summons to perfect service of process;
- c. securing Defendant's agreement to pay any judgment, verdict, negotiated settlement and/or successful outcome in favor of Plaintiff in this case as an unsecured claim in its bankruptcy proceedings;
- d. preparing and filing responsive briefs and memoranda to Defendant's Motion to Dismiss and Motion for Reconsideration;
- e. conferring with defense counsel to produce a case management report in this matter; and
- f. initiating settlement discussions with defense counsel to amicably settle this matter.

5. Pursuant to Rule 1.16(b)(3), Plaintiff insists upon pursuing an objective that the undersigned considers imprudent.

6. Furthermore, pursuant to Rule 1.16(b)(5), the undersigned's continued representation in this matter has been rendered unreasonably difficult by Plaintiff.

7. Finally, good cause for withdrawal exists pursuant to Rule 1.16(b)(6).

8. Due to the differences that have arisen between Plaintiff and the undersigned, as noted above, it is Counsel's belief that withdrawal can be accomplished without material adverse effect on Plaintiff's interests.

9. Counsel seeks an attorney's lien for payment of attorney's fees and expenses resulting from her representation of Plaintiff in this matter from on or about January 6, 2003 to

the present.

WHEREFORE, Counsel respectfully requests this Honorable Court permit her to withdraw as counsel for Plaintiff in this matter.

Respectfully submitted,

KARIN M. GUNTER ATTORNEY AT LAW

Dated: February 11, 2005

By: /s/ Karin M. Gunter, Esq.
Karin M. Gunter, Esq.

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MARTHA STEELE,	:	CIVIL ACTION
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	:	
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Defendant.	:	

ORDER

AND NOW, this day of , 2005 upon consideration of Karin M. Gunter, Esquire's ("Counsel") Motion to Withdraw as Counsel for Plaintiff Martha Steele, it is hereby ORDERED and DECREED that Counsel's motion is GRANTED and Karin M. Gunter, Esquire is no longer counsel for Plaintiff Martha Steele in this matter. It is further ORDERED and DECREED that an attorney's lien in the amount of \$ _____ is to be entered and registered in the judgment index against Martha Steele in this matter from the award of any amounts including, without limitation, settlement, verdicts, and judgments on behalf of Karin M. Gunter, Esq.

BY THE COURT:

BRUCE W. KAUFFMAN, J.

CERTIFICATION OF SERVICE

I do hereby certify that service of a true and correct of the within Motion to Withdraw as Counsel for Plaintiff Martha Steele was made on the 11th day of February 2005 to below named counsel for the defendants via first class, U.S. mail, postage prepaid:

Martha Steele
817 S. Hancock Street
Philadelphia, PA 19147
(Plaintiff)

Joseph J. Centeno, Esquire
Obermayer Rebmann Maxwell & Hippel, LLP
One Penn Center, 19th Floor
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1895
(Counsel for HCI Direct)

Date: February 11, 2005

By: /s/ Karin M. Gunter, Esq.
Karin M. Gunter, Esquire